

time and referred to the Committee on Public Health.

Adjournment

Senator Moore moved that the Senate adjourn until 10:00 o'clock a. m., tomorrow.

Yeas and nays were demanded, and the motion prevailed by the following vote:

Yeas—15

Bullock	Parrish
Carney	Ramsey
Crawford	Shivers
Hazlewood	Spears
Lanning	Stone
Martin	Weinert
Mauritz	Winfield
Moore	

Nays—14

Aikin	Metcalf
Brown	Moffett
Chadick	Morris
Graves	Stanford
Jones	Sulak
Knight	Taylor
Lane	Vick

Absent

York

Absent—Excused

Kelley

The Senate, accordingly, at 12:41 o'clock p. m., adjourned until 10:00 o'clock a. m., tomorrow.

FORTY-SIXTH DAY

(Tuesday, March 27, 1945)

The Senate met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by the President.

Aikin	Moffett
Brown	Moore
Bullock	Morris
Carney	Parrish
Chadick	Ramsey
Crawford	Shivers
Graves	Spears
Hazlewood	Stanford
Jones	Stone
Knight	Sulak
Lane	Taylor
Lanning	Vick
Martin	Weinert
Mauritz	Winfield
Metcalf	York

A quorum was announced present.

The Reverend J. E. Chester, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leaves of Absence Granted

Senator Kelley was granted leave of absence for today on account of important business on motion of Senator Mauritz.

Reports of Standing Committees

Senator Chadick submitted the following report:

Austin, Texas,
March 27, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred H. B. No. 260, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed, it being a local bill.

CHADICK, Chairman.

Senator Bullock submitted the following reports:

Austin, Texas,
March 27, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Education to whom was referred S. B. No. 300, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

BULLOCK, Chairman.

Austin, Texas,
March 27, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Education, to whom was referred

S. B. No. 265, A bill to be entitled "An Act creating the "Texas State Textbook Committee" providing the qualifications and terms of office for the members of said committee, providing for meetings of said committee, establishing and creating the duties of said committee, providing

for adoption of multiple lists of textbooks for use in the public schools of the State, providing for the selection and purchase of textbooks from the adopted multiple lists by proper school authorities, providing for the compensation of the members of said committee, providing for penalty for violation of terms of Act, repealing all laws or parts of laws in conflict, providing that any partial invalidity of this Act shall not affect other parts hereof, and declaring an emergency."

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do not pass and that Committee Substitute do pass and be printed.

BULLOCK, Chairman.

Austin, Texas,
March 27, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Education, to whom was referred H. B. No. 516 by Voigt, have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass, and be not printed.

BULLOCK, Chairman.

Senator Hazlewood submitted the following report:

Austin, Texas,
March 26, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office to whom was referred H. B. No. 48, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HAZLEWOOD, Chairman.

Senator Carney submitted the following report:

Austin, Texas,
March 27, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Game and Fish to whom was referred H. B. No. 342, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass, and being a local bill, be not printed.

CARNEY, Chairman.

Senator Mauritz submitted the following reports:

Austin, Texas,
March 26, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 248 by Graves, have had said bill under consideration, and I am instructed to report it back to the Senate with the recommendation that the bill do not pass but that Committee Substitute Bill do pass in lieu thereof and be printed.

MAURITZ, Chairman.

Austin, Texas,
March 26, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 269 by Stone, have had said bill under consideration, and I am instructed to report it back to the Senate with the recommendation that the bill do pass with Committee Amendments and be printed.

MAURITZ, Chairman.

Senator Vick submitted the following reports:

Austin, Texas,
March 26, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 256, have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

VICK, Chairman.

Austin, Texas,
March 26, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 258, have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

VICK, Chairman.

Austin, Texas,
March 26, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Civil

Jurisprudence, to whom was referred S. B. No. 244, have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

VICK, Chairman.

Austin, Texas,
March 26, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 336, have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

VICK, Chairman.

Senator Chadick submitted the following report:

Austin, Texas,
March 26, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries to whom was referred H. B. No. 479, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CHADICK, Chairman.

House Concurrent Resolution 48

On motion of Senator Martin, the regular order of business was suspended to take up for consideration at this time:

H. C. R. No. 48, Requesting the return of House Bill 241 from the Governor's office.

The resolution was read and was adopted.

Motion to Set Senate Bill 57 as Special Order

Senator Bullock moved that Senate Bill No. 57 be set as a special order for Tuesday, April 3, 1945, immediately following the morning call.

The motion was lost by the following vote (not receiving the necessary two-thirds vote):

Yeas—12

Bullock	Knight
Crawford	Martin
Hazlewood	Mauritz
Jones	Morris

Parrish
Spears

Sulak
Winfield

Nays—18

Aikin
Brown
Carney
Chadick
Graves
Lane
Lanning
Metcalf
Moffett

Moore
Ramsey
Shivers
Stanford
Stone
Taylor
Vick
Weinert
York

Absent—Excused

Kelley

Motion to Set Senate Bill 18 as Special Order

Senator Spears moved that Senate Bill No. 18 be set as a special order for Tuesday, April 3, 1945, immediately following the morning call.

The President announced that the motion was lost by the following vote (not receiving the necessary two-thirds vote of the Senate):

Yeas—18

Aikin
Brown
Bullock
Chadick
Graves
Jones
Lanning
Metcalf
Moffett

Morris
Ramsey
Shivers
Spears
Stanford
Stone
Sulak
Vick
York

Nays—12

Carney
Crawford
Hazlewood
Knight
Lane
Martin

Mauritz
Moore
Parrish
Taylor
Weinert
Winfield

Absent—Excused

Kelley

Senator Spears raised the point of order that a special order may be set for a future day by a majority vote and that the motion to set S. B. No. 18 as a special order, therefore, had prevailed.

The President overruled the point of order.

Senate Bill 233 Set as Special Order

Senator Graves moved that S. B.

No. 233 be set as a special order for Tuesday, April 3, 1945, immediately following the morning call.

The motion prevailed by the following vote:

Yeas—27

Aikin	Metcalf
Brown	Moffett
Bullock	Moore
Carney	Morris
Chadick	Parrish
Crawford	Ramsey
Graves	Shivers
Hazlewood	Spears
Jones	Stanford
Knight	Stone
Lane	Taylor
Lanning	Weinert
Martin	York
Mauritz	

Nays—2

Sulak	Winfield
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Absent

Vick

Absent—Excused

Kelley

Senate Bill 234 Set as Special Order

Senator Graves moved that S. B. No. 234 be set as a special order for Tuesday, April 3, 1945, immediately following consideration of S. B. 233, which has been set as a special order for that time.

The motion prevailed by the following vote:

Yeas—28

Aikin	Metcalf
Brown	Moffett
Bullock	Moore
Carney	Morris
Chadick	Parrish
Crawford	Ramsey
Graves	Shivers
Hazlewood	Spears
Jones	Stanford
Knight	Stone
Lane	Taylor
Lanning	Vick
Martin	Weinert
Mauritz	York

Nays—2

Sulak	Winfield
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Absent—Excused

Kelley

Senate Resolution 50

(Calendar of Local and Uncontested Bills)

Senator Metcalfe, by unanimous consent, offered at this time the following resolution:

Be It Resolved, by the Senate of Texas, that at such times as the Senate may direct there shall be prepared local and uncontested calendars, which calendars shall be prepared by a committee of three appointed by the Lieutenant Governor.

No bills or resolutions shall be placed on such calendar which contain appropriations or create new departments or subdivisions of departments, except purely local bills where the expenditure is not from State funds.

No bills or resolutions which the committee feels might create a controversy shall be placed on such calendar. Any bill or resolution on such calendar shall not be considered if as many as three members present object to such consideration.

The calendar shall be placed on the desk of the members at least six hours before any such session. The committee may name a time after which applications for a place on the calendar may not be made.

The committee shall not consider any bills unless a printed copy of such bill or the bill itself is presented to the committee.

**METCALFE
STONE**

The resolution was read and was adopted.

In accordance with the above resolution the President announced the appointment of the following committee: Senators Metcalfe, Stone and Moore.

Night Session to Consider Local and Uncontested Bills.

Senator Metcalfe moved that the Senate hold a session at 8:00 o'clock p. m. Wednesday, April 4, 1945, to consider local and uncontested bills.

The motion prevailed.

Senate Bill 38 Set as Special Order

Senator Morris moved that Senate Bill No. 38 be set as a special order for Thursday, March 29, 1945, immediately following the morning call.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moore
Brown	Morris
Bullock	Parrish
Carney	Ramsey
Chadick	Shivers
Crawford	Spears
Graves	Stanford
Hazlewood	Stone
Jones	Sulak
Knight	Taylor
Lane	Vick
Lanning	Weinert
Mauritz	Winfield
Metcalfe	York
Moffett	

Absent

Martin

Absent—Excused

Kelley

Senate Bill 86 Set as Special Order

Senator Parrish moved that S. B. No. 86 be set as a special order for Tuesday, April 3, 1945, immediately following the morning call.

The motion prevailed by the following vote:

Yeas—22

Aikin	Mauritz
Brown	Metcalfe
Bullock	Moffett
Chadick	Moore
Crawford	Morris
Graves	Parrish
Hazlewood	Spears
Jones	Stone
Knight	Vick
Lane	Winfield
Lanning	York

Nays—6

Carney	Sulak
Ramsey	Taylor
Shivers	Weinert

Absent

Martin Stanford

Absent—Excused

Kelley

Senate Bill 184 on Second Reading

The President laid before the Sen-

ate as a special order for this hour, on its second reading and passage to engrossment:

S. B. No. 184, A bill to be entitled "An Act to increase the maximum gross load limit on commercial motor vehicles and combinations thereof from thirty-eight thousand (38,000) pounds to forty-eight thousand (48,000) pounds and, as thus amended, to re-enact Section 5, Chapter 42, General Laws of the State of Texas, Forty-first Legislature, Second Called Session, as amended by Section 5, Chapter 282, Acts of the Regular Session, Forty-second Legislature, regulating the gross load of commercial motor vehicles and combinations thereof; limiting the weight per inch of tire upon any wheel concentrated upon surface of the highway; limiting the load that may be transported upon any wheel of any such vehicle or combination thereof; limiting the load that may be transported upon any axle of such vehicle or combination thereof; repealing all laws in conflict herewith; and declaring an emergency."

The bill was read second time.

Senator Morris offered the following amendment to the bill:

Amend Senate Bill 184 by striking out on line 40 the following words: "Provided, however, the gross weight shall never exceed," and by striking out all of line 41.

Senator Mauritz moved to table the amendment.

The motion to table prevailed by the following vote:

Yeas—20

Aikin	Moore
Brown	Parrish
Carney	Ramsey
Crawford	Shivers
Hazlewood	Spears
Knight	Taylor
Lanning	Vick
Mauritz	Weinert
Metcalfe	Winfield
Moffett	York

Nays—9

Bullock	Morris
Chadick	Stanford
Graves	Stone
Jones	Sulak
Lane	

Absent

Martin

Absent—Excused

Kelley

S. B. 184 was then passed to engrossment.

Senate Bill 184 on Third Reading

Senator Mauritz moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 184 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—27

Aikin	Moffett
Bullock	Moore
Carney	Parrish
Chadick	Ramsey
Crawford	Shivers
Graves	Spears
Hazlewood	Stanford
Jones	Sulak
Knight	Taylor
Lane	Vick
Lanning	Weinert
Martin	Winfield
Mauritz	York
Metcalfe	

Nays—3

Brown	Stone
Morris	

Absent—Excused

Kelley

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—22

Carney	Parrish
Crawford	Ramsey
Graves	Shivers
Hazlewood	Spears
Knight	Stanford
Lane	Sulak
Lanning	Taylor
Martin	Vick
Mauritz	Weinert
Metcalfe	Winfield
Moore	York

Nays—8

Aikin	Jones
Brown	Moffett
Bullock	Morris
Chadick	Stone

Absent—Excused

Kelley

Executive Session

On motion of Senator Winfield, and by unanimous consent, the Senate, at 11:52 o'clock a. m., agreed to hold an executive session immediately.

The Sergeant-at-Arms was directed to clear the floor and gallery of all those not entitled to attend the executive session and the doors leading from the Senate Chamber were closed.

At the conclusion of the executive session, the Secretary of the Senate informed the Journal Clerk that the following appointments of the Governor had been confirmed by the Senate:

To be Branch Pilot for Sabine Bar, Pass and Tributaries for a two year term to expire March 14, 1947:

Captain A. L. Urie of Port Arthur, Jefferson County.

To be members of the Texas Prison Board for six year terms to expire February 2, 1951:

Claude K. McCan of Victoria, Victoria County.

Lindsay T. Murray of Waco, McLennan County.

J. W. Keeland of Houston, Harris County.

To be a member of the Texas Prison Board to fill the unexpired term of Honorable Gaylord J. Stone, resigned, term to expire February 2, 1947:

E. B. Chapman of Sherman, Grayson County.

To be a member of the Board of Directors of the Agricultural and Mechanical College of Texas for a six year term expiring January 10, 1951:

Roy C. Potts of Belton, Bell County.

To be a member of the State Board of Water Engineers to fill the unexpired term of Honorable A. H. Dunlap, deceased, term expiring August 19, 1947:

Colonel E. V. Spence of Big Spring, Howard County.

To be a member of the State Board of Registration for Professional Engineers for a six year term to expire September 24, 1949:

J. S. Hudnall of Tyler, Smith County.

To be members of the Board of Regents for the Texas State College for Women for six year terms to expire January 10, 1951:

Mrs. George Waverley Briggs of Dallas, Dallas County.

Mrs. Bob Barker of Austin, Travis County.

To be State Auditor for the period expiring February 15, 1947:

C. H. Cavness, San Antonio, Bexar County.

To be Judge of the District Court of the 94th Judicial District of Texas:

Honorable Allen Wood of Corpus Christi, Nueces County.

To be members of the Board of Directors of the Upper Guadalupe River Authority for six year terms to expire January 1, 1951:

L. T. Davis of Kerrville, Kerr County.

S. Eastland of Kerrville, Kerr County.

Fred Junkin of Kerrville, Kerr County.

To be members of the Board of Pilot Commissioners for the Port of Galveston and Texas City for two year terms to expire April 15, 1947:

J. M. Gengler of Galveston, Galveston County.

A. M. Carlson of Galveston County.
Robert I. Cohen of Galveston, Galveston County.

Paul Purdy of Galveston, Galveston County.

Major E. V. Rhodes of Texas City, Galveston County.

To be Branch Pilots for the Port of Galveston-Texas City for two year terms:

Earnest E. Lance of Galveston County (term expires April 15, 1947).

Earl C. Goodwin of Galveston County (term expires April 15, 1947).

Harry Davis Wetmore of Galveston County (term expires April 15, 1947).

Thomas N. Wilroy of Galveston County (term expires April 15, 1947).

Hopkins H. Haden of Galveston County (term expires April 15, 1947).

George W. Crosby of Galveston County (term expires September 1, 1947).

Robert W. Howard (term expires Sept. 1, 1947).

To be Branch Pilots for the Port of Galveston-Texas City for two year terms:

Harold F. Johnson of Galveston County (term expires September 1, 1947).

Charles H. Heidrick of Galveston County (term expires October 21, 1947).

To be Associate Judge of the Court of Civil Appeals for the Seventh Supreme Judicial District to fill the unexpired term of Honorable Clayton Heare, resigned, term to begin April 1, 1945:

Tom Garrard of Tahoka, Lynn County.

To be members of Board of Directors of the San Antonio River Canal and Conservancy District for six year terms to expire May 5, 1951:

B. B. McGimsey of San Antonio, Bexar County.

Reagan Houston of San Antonio, Bexar County.

John C. Merchant of Floresville, Wilson County.

To be members of the Board of Directors of the Lower Concho River Authority for six year terms to expire January 1, 1951:

Albert Shulz of Eola, Concho County.

W. B. Browning of Stacy, Concho County.

G. Y. Lee of Eden, Concho County.

To be Branch Pilots for the Galveston Bar and Houston Ship Channel for two year terms to expire March 26, 1947:

Captain H. C. Cage of Houston, Harris County.

Captain W. E. Dunlap of Houston, Harris County.

Captain Roy C. Blodgett of Houston, Harris County.

Captain Henry Corry of Houston, Harris County.

To be Branch Pilot for the Port of Galveston-Texas City for a two year term to expire March 26, 1947:

Captain Basil V. O'Brien of Galveston, Galveston County.

The Secretary also informed the Journal Clerk that the following appointments had been rejected by the Senate:

To be a member of the Texas Prison Board to fill the unexpired term of Honorable George Sealy, deceased, term to expire February 2, 1949:

Joe C. Carrington of Austin, Travis County.

To be a member of the Board of Directors of the Agricultural and Mechanical College of Texas for a six year term expiring January 10, 1951:

J. Rutledge Hill of Dallas, Dallas County.

To be a member of the Board of Regents for the Texas State College for Women for a six year term to expire January 10, 1951:

J. K. Brim of Sulphur Springs, Hopkins County.

In Legislative Session

The President called the Senate to order as in Legislative session at 12:30 o'clock p. m.

Senate Joint Resolution 7 on Third Reading

The President laid before the Senate, on its third reading and final passage:

S. J. R. No. 7, Proposing an Amendment to Section 2 of Article VI of the Constitution of Texas so as to provide that members of the Army, Navy, or other branch or component part of the Armed Forces of the United States during any nationally declared emergency, or during any time when the United States is at war with another country, who would otherwise be eligible to vote under the laws of Texas to vote without the requirement of having paid any poll tax assessed against him or of holding a receipt therefor; providing the form of the ballot for voting upon said proposed amendment; fixing the time for holding the election; directing the Governor to issue the necessary proclamations; and making an appropriation to defray necessary expenses.

The resolution was read third time.

Senator Spears offered the following amendment to the resolution:

Amend S. J. R. No. 7, by striking out all below the resolving clause of said resolution and inserting in lieu thereof the following:

Section 1. There shall be submitted to the qualified voters of the State of Texas the matter of amending Article VI, of the Constitution of Texas, known as the "suffrage" Article, by adding thereto a sub-section which will modify the present restrictions concerning voting. This sub-section shall be inserted between Section 2 and

Section 3 of said Article VI, and shall be known as Section 2a, and shall read as follows:

"Sec. 2a. The Legislature is hereby empowered to enact laws granting the right to vote to persons in the Army, the Navy, the Marine Corps, the United States Maritime Service and the United States Merchant Marine or any other branch or component part of the armed forces of the United States who are otherwise qualified electors, and to exempt such persons from the payment of a poll tax as a condition precedent to such voting in this State in any election authorized by law, during the actual fighting of a war by the United States, or during a National emergency not exceeding one year after the cessation of hostilities.

"All persons or classes of persons who have heretofore been exempted by act of the Legislature from the payment of a poll tax as a condition precedent to voting shall continue to be exempt from the payment of such poll tax unless and until the Legislature of this State shall repeal such laws."

Section 2. There shall be submitted to the qualified voters of this State at an election to be held on the 4th Saturday in August 1945, the matter of adopting or rejecting this proposed amendment. There shall be printed on the official ballots for such election the following:

"FOR the amendment to Article VI, of the Constitution of the State of Texas authorizing the Legislature to enact laws granting the right to vote to certain persons and classes of persons, and to exempt such persons or classes of persons from the payment of a poll tax as a condition precedent to such voting in this State, upon such terms and under such conditions as the Legislature may prescribe. "All persons or classes of persons who have heretofore been exempted by act of the Legislature from the payment of a poll tax as a condition precedent to voting shall continue to be exempt from the payment of such poll tax unless and until the Legislature of this State shall repeal such laws."

"AGAINST the amendment to Article VI, of the Constitution of the State of Texas authorizing the Legislature to enact laws granting the right to vote to certain persons and classes of persons, and to exempt such

persons or classes of persons from the payment of a poll tax as a condition precedent to such voting in this State, upon such terms and under such conditions as the Legislature may prescribe. All persons or classes of persons who have heretofore been exempted by act of the Legislature from the payment of a poll tax as a condition precedent to voting shall continue to be exempt from the payment of such poll tax unless and until the Legislature of this State shall repeal such law."

Sec. 3. The Governor shall issue the necessary proclamations relating to the publication of the foregoing resolution, in the various counties of the state, and shall cause the same to be published as required by the statutes and the Constitution in connection with the submission of proposed amendments to the Constitution, to the people for their action at a statewide election. If it shall appear from the return of the election at which the foregoing amendment to the Constitution is voted upon, that a majority of the qualified voters have voted for said amendment, same shall then become a part of the Constitution of Texas.

Sec. 4. There is hereby appropriated out of the General Fund of the State of Texas, not otherwise appropriated, the sum of Ten Thousand Dollars (\$10,000), or so much thereof as may be necessary to pay the expenses of advertising said resolution in each county in the state and for such other purposes as may be necessary, or required by law, or the Constitution.

**SPEARS
MOFFETT**

Question—Shall the amendment be adopted?

Recess

Senator Aikin moved that the Senate recess to 2:30 o'clock p. m. today.

The motion prevailed, and the Senate, accordingly, at 12:35 o'clock p. m. took recess to 2:30 o'clock p. m., to-day.

Afternoon Session

The Senate met at 2:30 o'clock p. m., and was called to order by the President.

Senate Joint Resolution 7 on Final Passage

The Senate resumed consideration

of pending business, the same being S. J. R. No. 7, on its final passage, with an amendment by Senator Spears pending.

Senator Martin raised the point of order there was not a quorum present.

The Secretary was directed to call the roll.

The roll was called and the following Senators were present:

Aikin	Martin
Brown	Mauritz
Bullock	Moffett
Carney	Parrish
Chadick	Spears
Crawford	Stanford
Graves	Sulak
Hazlewood	Vick
Jones	Weinert
Knight	Winfield
Lane	York

A quorum was announced present.

Question recurring on the amendment by Senator Spears, it was adopted by the following vote:

Yeas—28

Aikin	Metcalfe
Brown	Moffett
Bullock	Moore
Carney	Morris
Chadick	Parrish
Crawford	Ramsey
Graves	Spears
Hazlewood	Stanford
Jones	Sulak
Knight	Taylor
Lane	Vick
Lanning	Weinert
Martin	Winfield
Mauritz	York

Absent

Shivers	Stone
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Absent—Excused

Kelley

On motion of Senator Moffett, and by unanimous consent, the caption was amended to conform with the body of the resolution as amended.

S. J. R. No. 7 was passed by the following vote:

Yeas—29

Aikin	Carney
Brown	Chadick
Bullock	Crawford

Graves	Parrish
Hazlewood	Ramsey
Jones	Spears
Knight	Stanford
Lane	Stone
Lanning	Sulak
Martin	Taylor
Mauritz	Vick
Metcalf	Weinert
Moffett	Winfield
Moore	York
Morris	

Absent

Shivers

Absent—Excused

Kelley

Senate Bill 301 on First Reading

By unanimous consent, the following local bill was introduced, read first time and referred to the Committee on Game and Fish:

By Senator York:

S. B. 301, A bill to be entitled "An Act amending Section 1 of Chapter 216, Acts of the Regular Session, 47th Legislature, by omitting Lee county from the provisions thereof, prohibiting the killing, taking or possession of wild fox or their pelts in certain counties until 1946; and declaring an emergency."

Senate Joint Resolution 3 on Second Reading

The President laid before the Senate, on its second reading and passage to engrossment:

S. J. R. No. 3, Proposing an amendment to Section 5 or Article VII of the Constitution of the State of Texas by providing for the distribution of the available School Fund as therein provided to the several counties on a basis of scholastic attendance instead of according to their scholastic population; providing for an election on the question of the adoption or rejection of such amendment; providing for the proclamation and publication thereof; prescribing the form of ballot therefor; and making an appropriation to defray the expenses of such publication and election.

The resolution was read second time.

The resolution failed to pass to engrossment by the following vote:

Yeas—5

Bullock	Moffett
Chadick	Parrish
Hazlewood	

Nays—24

Aikin	Moore
Brown	Morris
Carney	Ramsey
Crawford	Spears
Graves	Stanford
Jones	Stone
Knight	Sulak
Lane	Taylor
Lanning	Vick
Martin	Weinert
Mauritz	Winfield
Metcalf	York

Absent

Shivers

Absent—Excused

Kelley

Senate Joint Resolution 9 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. J. R. No. 9, Proposing an amendment to the Constitution of the State of Texas, by amending Section 19 of Article 16, so as to provide that the qualification of no person to serve as a juror on grand juries and on petit juries in civil cases, shall be denied or abridged on account of sex; providing that existing provisions of the Constitution shall be construed in conformity herewith; providing for the submission of this amendment to a vote of the people of Texas; providing the time, means and manner thereof, and making an appropriation for such purpose.

The resolution was read second time and was passed to engrossment by the following vote:

Yeas—18

Aikin	Mauritz
Brown	Metcalf
Chadick	Moffett
Crawford	Moore
Graves	Morris
Hazlewood	Parrish
Knight	Spears
Lanning	Stanford
Martin	Vick

Nays—11

Bullock	Sulak
Carney	Taylor
Jones	Weinert
Lane	Winfield
Ramsey	York
Stone	

Absent

Shivers

Absent—Excused

Kelley

Senate Joint Resolution 9 on Third Reading

Senator Vick moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. J. R. No. 9 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—29

Aikin	Moffett
Brown	Moore
Bullock	Morris
Carney	Parrish
Chadick	Ramsey
Crawford	Spears
Graves	Stanford
Hazlewood	Stone
Jones	Sulak
Knight	Taylor
Lane	Vick
Lanning	Weinert
Martin	Winfield
Mauritz	York
Metcalf	

Absent

Shivers

Absent—Excused

Kelley

The President then laid the resolution before the Senate on its third reading and final passage.

The resolution was read third time and failed to pass by the following vote (not receiving the necessary two-thirds vote of the members of the Senate):

Yeas—18

Aikin	Chadick
Brown	Crawford

Graves	Moffett
Hazlewood	Moore
Knight	Morris
Lanning	Parrish
Martin	Spears
Mauritz	Stanford
Metcalf	Vick

Nays—11

Bullock	Sulak
Carney	Taylor
Jones	Weinert
Lane	Winfield
Ramsey	York
Stone	

Absent

Shivers

Absent—Excused

Kelley

Senate Joint Resolution 15 on Second Reading

The President laid before the Senate on its second reading and passage to engrossment:

S. J. R. No. 15, "A Senate Resolution for a Constitutional Convention to be assembled in the City of Austin on the First Monday in October, 1947, for the purpose of framing a new constitution; specifying the number of delegates and prescribing the qualifications of electors and the manner of conducting the election; designating the returning offices; authorizing the Governor to issue the proclamation convening the elected delegates, authorizing the Governor to issue his proclamation ordering said election, and making an appropriation to defray the expense of said convention and also making an appropriation to defray the expenses of issuing and publishing said proclamation."

The resolution was read second time.

Senator Ramsey offered the following amendment to the resolution:

Amend S. J. R. No. 15 by striking the figures "1947" wherever same appears and insert in lieu thereof in line 19, the figures "1946" and in line 27 the figures "1945."

(President pro tempore in the Chair.)

The amendment was lost.

Senator Moore offered the following amendment to the resolution:

Amend Section 4 of S. J. R. 15 by changing the words "For the Constitutional Convention" and "against the Constitutional Convention" to the words "For the Constitutional Convention to write a new constitution without permitting the people to vote on such new constitution."

"Against the Constitutional Convention to write a new constitution without permitting the people to vote on such new constitution."

Senator Chadick offered the following substitute for the amendment.

Add a new section as follows:

The delegates so elected shall draw up such proposed constitution as it may agree upon and shall submit it to a vote of the people within 60 days after the said convention shall adjourn. The Convention's proposal shall be submitted in such manner as the convention shall direct.

Senator Moore raised a point of order on the substitute on the ground that it is not a proper substitute for the pending amendment, since it relates to a different subject matter.

The President pro tempore sustained the point of order.

Question—Shall the amendment by Senator Moore be adopted?

Reports of Standing Committees

Senator Carney, by unanimous consent, submitted the following report:

Austin, Texas,
March 27, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred H. B. No. 234 have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

CARNEY, Chairman.

Senator Chadick, by unanimous consent, submitted the following reports:

Austin, Texas,
March 27, 1945.

Hon. John Lee Smith, President of the Senate.

Sir: We your Committee on Coun-

ties and County Boundaries, to whom was referred S. B. No. 246, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass with committee amendments attached hereto and be printed.

CHADICK, Chairman.

Austin, Texas,
March 27, 1945

Hon. John Lee Smith, President of the Senate.

Sir: We your Committee on Counties and County Boundaries to whom was referred S. B. No. 299 have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

CHADICK, Chairman.

Adjournment

On motion of Senator Weinert, the Senate, at 3:45 o'clock p. m., adjourned until 10:30 o'clock a. m. tomorrow.

FORTY-SEVENTH DAY

(Wednesday, March 28, 1945)

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by the President.

Aikin	Moore
Brown	Morris
Bullock	Parrish
Carney	Ramsey
Chadick	Shivers
Crawford	Spears
Graves	Stanford
Hazlewood	Stone
Jones	Sulak
Knight	Taylor
Lane	Vick
Lanning	Weinert
Mauritz	Winfield
Metcalf	York
Moffett	

A quorum was announced present.

The Reverend J. E. Chester, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of yesterday's proceedings was dispensed with and the Journal approved.